

# CHICHESTER DISTRICT COUNCIL – ALLOCATION SCHEME

30 November 2018

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## 1.0 Introduction

It is the policy of Chichester District Council and its Registered Providers of Social Housing (RP) partners (the Partnership) to operate a choice based lettings scheme. An allocation scheme is a legal requirement under the terms of section 167 of the Housing Act 1996. It sets out the priorities and procedures for the letting of all forms of affordable (social) housing and our nominations to RPs. The scheme applies to existing RP tenants wanting to move (transfers) and to new applicants applying to the housing register for the first time (homeseekers).

This revision of the allocation scheme is to take into account the Localism Act 2011, which gives local housing authorities greater powers to determine whether people do or do not qualify for social housing within their area and the priority they should be given.

The Partnership is committed to offering an element of choice to all those seeking housing, enabling people to make well-informed decisions about their housing options. Choice based lettings will help improve the sustainability of the affordable housing stock both in the Chichester District and more widely across the Sussex region in order to maximise its effectiveness and encourage residents to have a stake in their community.

The Council has joined with other local authority partners in Sussex to operate a choice based lettings scheme called Homemove. This allocation scheme applies across the Chichester District and is intended to be reasonably consistent with the allocation policies of other local authorities within the regional Homemove group.

Under the choice based lettings scheme, transfers and homeseekers are placed in one of four broad bands of housing need according to their circumstances. They are placed on a housing register showing their priority banding, any local connection with Chichester District and their date of entry on the register.

All accepted applicants are encouraged to actively participate in the search for a home. Vacant properties are advertised fortnightly on the Homemove website that can be found at [www.homemove.org.uk](http://www.homemove.org.uk). In order to bid for a property in a specific local authority area the applicant must already be on that local authority's register.

Changes to housing legislation have introduced new forms of tenancy. Many RP properties are now offered at an affordable rent, which is usually higher than social rents as it is fixed at up to 80% of the open market rent. These tenancies are usually offered for a fixed term of, typically, 5 years.

### 1.1 Homemove Registered Provider Partners

Hyde Group  
Affinity Sutton  
A2 Dominion  
Chichester Greyfriars  
Greenoak Housing Association  
Southern Housing Group  
Hastoe Housing Association

Home Havant  
Places for People  
Radian Housing Association  
Raglan Housing Association  
Hanover Housing Association

## **2.0 Equalities and Diversity**

Chichester District Council is committed to providing and promoting equality throughout the district. The Council has adopted an Equalities Strategy that will ensure that equality influences the way we provide services as well as the employment of staff. To achieve this we endeavour to create an environment in which there is respect for everyone and make a commitment that no service user will be discriminated against on the grounds of age, disability, race, colour, religion, ethnicity, gender, sexuality, family status, transgender or transsexuality.

Access to the scheme may be more difficult for people with a disability, sight or hearing impairment and for those that do not speak English as a first language. The Council is committed to helping all those who need assistance to access the scheme particularly by working closely with other agencies and supported housing providers.

## **3.0 Affordable Rented Homes, Social Rented Homes and Flexible Tenancies**

Since April 2011 housing associations have been allowed to offer some homes for rent at 'Affordable Rents' set at a maximum of 80% of market rents in the private sector. These rents are higher than the 'Social Rents' that other social housing is let at. All advertisements of homes will indicate which type of rent applies and will also detail the actual rent payable so that this is clear to any Applicant who bids.

The way Applicants are selected, and the way bids from Applicants are prioritised, is the same whether the rent is set as an 'Affordable Rent' or at a 'Social Rent'.

Housing associations are now also allowed to offer homes for rent on Flexible Tenancies usually for a minimum fixed term of 5 years on an assured shorthold tenancy rather than on a permanent assured tenancy, as they have normally done previously.

Many fixed term tenancies will be renewed when they come to an end, but this cannot be guaranteed. At the end of a fixed term tenancy the tenancy and the individual tenant's circumstances will be reviewed by the housing association landlord. At that stage the tenancy may be renewed for a further fixed term or in some circumstances may be ended.

It is possible that a tenancy might not be renewed if the tenant has not complied with their tenancy agreement (e.g. they have rent arrears), or they no longer need the accommodation because their income is now high enough for them to afford to buy or rent privately. A tenant could also be asked to move at the end of their fixed term to a different affordable home if the home they occupy is more suitable for someone else e.g. because some of their family have moved away and they no longer need so many bedrooms. The housing association landlord will be able to advise the tenant about its particular policies on renewing tenancies.

## **4.0 Principles of the Allocation Scheme**

The Allocation Scheme is based on the following key principles

- Provide a clear and transparent system to prioritise eligible households for social housing.
- To provide clear information to allow applicants to make informed choices about their housing options.

- To enable applicants to express choice in seeking their accommodation wherever possible. It should be noted that perpetrators and victims of domestic or other violence may have their choice of area restricted in order to ensure the health and safety of the applicant, their family, if any, and their potential neighbours.
- To meet the requirements of Part 6 of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011.
- To have regard to the Codes of Guidance issued by the Government and to best practice.
- To make the best use of social housing in the district ensuring that vacant homes are let quickly and efficiently.
- To create sustainable communities by giving additional priority to applicants in housing need living in rural parishes and by the use of local lettings plans.
- To review the Allocation Scheme from time to time to reflect any changes in the law or Government Guidance and to ensure continued improvement.

## **5.0 The Housing Register**

### **5.1 Who can apply?**

The Council will consider all applications for housing from both homeseekers and transfer applicants in accordance with this Allocation Scheme. The housing register is open to anyone who is 16 years of age or over, subject to the exclusions in section 5.2, who has a local connection to the Chichester District. Although applications will be accepted from those aged 16 or over, those under the age of 18 will only be offered accommodation in exceptional circumstances.

### **5.2 Exclusions from the Housing Register**

- 5.2.1. Although anyone aged 16 or above may make an application to the Housing Register, the law does not allow the Council to allocate accommodation to an Applicant unless they are 'eligible for an allocation of accommodation'. For a description of who is 'eligible' and not 'eligible', see **5.3** below.
- 5.2.2 In addition, the law allows the Council not to allocate accommodation to an Applicant who it decides is not a 'qualifying person'. For a description of who the Council may decide is not a 'qualifying person', see **5.7** below.
- 5.2.3 Any Applicant who is considered not to be 'eligible' or not to be 'a qualifying person' because they fall within one of the categories outlined above will be notified in writing by the Homemove Team of the decision, the grounds upon which it was based and the right to request a review of that decision by the Council. Details of the procedure for requesting a review of such a decision are set out at **17.0 below**.

### **5.3 Applicants who are not 'eligible'**

Whilst most applicants will be 'eligible', the Housing Act 1996 (as amended by the Localism Act 2011) sets out two categories of Applicant who are not 'eligible' and must be excluded from being allocated housing. The two categories are as follows:

- Persons subject to immigration control who are ineligible. See **5.4** below.
- Other persons from abroad who are ineligible. See **5.5** and **5.6** below.

The law does not allow the Council to allocate a joint tenancy to two or more people if any one of them is considered to be 'ineligible'.

### **5.4 Persons subject to immigration control who are not 'eligible'**

Anyone who is subject to immigration control is ineligible unless they fall into one of the following categories:

(a) a person who has been granted refugee status and who has leave to enter or remain in the UK; or

(b) a person who has exceptional leave to enter or remain in the UK granted outside the provisions of the immigration rules - provided that there is no condition that they shall not have recourse to public funds; or

(c) a person who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the UK is not subject to any limitation or condition; or

(d) a person who has humanitarian protection granted under the Immigration Rules.

### **5.5 Other persons from abroad who are not 'eligible'**

Anyone who has come from abroad who is not subject to immigration control will be ineligible if they are not habitually resident in the UK, the Channel Islands, the Isle of Man, or the Republic of Ireland, unless they fall within one of the following categories:

(a) an EEA national (i.e. from any EU country, plus Iceland, Norway and Liechtenstein) who is a 'worker' or is self-employed;

(b) a person who is an accession state worker (i.e. from Bulgaria, Romania or Croatia) requiring registration who is treated as a worker;

(c) a person who is an immediate family member of a person in (a) or (b) above;

(d) a person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations;

(e) a person who left Montserrat after 1st November 1995 because of a volcanic eruption;

(f) a person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK.

## 5.6 Additional persons from abroad who are not 'eligible'

A person who is not subject to immigration control will be ineligible if their only right to reside in the UK

(a) is derived from their status as a jobseeker or the family member of a jobseeker; or

(b) is an initial right to reside for a period not exceeding 3 months under regulation 13 of the EEA Regulations; or

(c) his/her only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland is a right equivalent to one of those mentioned in (b) which is derived from the Treaty establishing the European Community.

## 5.7 Applicants who are not 'qualifying persons'

- Applicants with no local connection to the Chichester District as defined by the Allocation Scheme. **See Appendix C.**
- Applicants seeking a transfer who are considered to have no housing need. In this context, housing need means the applicant's circumstances are such that they would fall within priority Band A, B or C.
- Home owners other than those in negative equity. If there are medical problems applications will be considered from home owners not in negative equity where:
  - It is not possible to adapt the current accommodation to meet the needs of the applicant or a member of his/her household; and/or
  - It is too expensive to adapt the existing accommodation to meet the needs of the applicant or a member of his/her household and they cannot afford to buy or rent suitable alternative housing.
- Applicants with sufficient income and/or savings to secure alternative housing. Applicants with a gross household income equal to or greater than four times the Local Housing Allowance for the size of home they are entitled to and/or capital of more than £16,000 are considered to have sufficient financial resources to secure suitable alternative accommodation in the private rented sector or to purchase accommodation<sup>1</sup>. The only exception to this is where there are evidenced medical circumstances or a disability that make a home in the social sector the only realistic option (e.g. where substantial adaptations are necessary to meet the needs of one or more household members).
- Applicants with significant housing related debts to the Council, a social landlord or a private sector landlord. An applicant will not be excluded from the Housing Register if they have entered into a repayment plan and have been paying continuously for a period

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<sup>1</sup> When assessing whether an applicant has capital of more than £16,000, the Council will consider the following sums to be available:

- any monies paid out of the proceeds of sale of a property in the last 3 years used in full or part repayment of unsecured debts; and
- any other monies transferred to accounts or investments held by the applicant, any member of their household, other relatives or acquaintances.

of at least 6 months and continue to pay in accordance with the plan once on the Housing Register. It should be noted that some RPs will not allocate a property to an applicant until the entire debt has been settled.

- An applicant or a member of their household who has been identified as being involved in unacceptable or anti-social behaviour within the past five years.

Unacceptable behaviour can include:-

- Serious proven breach of tenancy conditions including harassment, nuisance and violence (including serious nuisance or annoyance to neighbours) such as Demoted Tenancy, Notices upheld in respect of the Environmental Protection Act 1990 or the Noise Act 1996.
  - Conviction of using the accommodation or allowing its use for immoral or illegal purposes
  - Allowing the property to be seriously damaged by the tenant or other residents or visitors which has resulted in an evidenced claim for the Landlord
  - Conviction of an arrestable offence committed in the locality relating to violence or threats of violence
  - Conviction of an arrestable offence relating to violence or threats of violence against Council staff
  - Eviction from social housing for nuisance or harassment (racial or otherwise) where this behaviour is apparent at the time of application
- Applicants who have been dishonourably discharged from the Armed Forces.

## **5.8 Joint applications**

Registered Providers will not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible or is a person who is being treated as ineligible because of unacceptable and/or anti-social behaviour. Otherwise, joint applications are welcome regardless of marital status or sexual orientation.

Joint applicants that bid successfully for a property will, in most cases, be offered a joint tenancy by the relevant RP. It will usually not be possible to subsequently grant a tenancy in the sole name of just one of the joint applicants. It is, therefore, very important that joint applicants who separate advise the Council as soon as possible so that their applications can be amended on consent of all parties. Failure to do so may result in an offer of accommodation being withdrawn.

When joint applicants want to change to sole applicants but wish to remain registered, the application will continue in the name of the partner with residency and parenting responsibilities for any children of the household. The remaining applicant may make a new application in their own name with a new application date. Joint applicants with no dependents may mutually agree to have an application transferred to the sole name of one of the partners. The remaining applicant may make a new application in their own name with a new application date. If no agreement can be reached the original application will be cancelled and each applicant will need to make a new application with a new application date.



## **6.0 The Registration and Assessment Process**

### **6.1 How to apply**

New applicants and existing RP tenants must apply to join the housing register by completing the housing registration form. Applicants are encouraged to apply on-line at: <https://homemove.org.uk/onlineform/chichester/>

If it is not possible for an application form to be completed online, paper applications can be obtained from the Reception at the Chichester District Council Offices, East Pallant House, 1 East Pallant, Chichester, PO19 1TY. A paper form will only be provided if it is not possible for the applicant, or anyone acting on his /her behalf, to apply on-line.

### **6.2 Validation and information**

Applicants will be assessed based on the information provided in the application form. It is the applicant's responsibility to ensure that the form has been completed fully and accurately. Any incorrect information could mean that the priority given is altered at any stage of the process.

The Council has the right to carry out enquiries to verify the information provided at any stage during the process. This may result in the assessment of the application being delayed. However, the Council will endeavour to ensure that any delay is reasonable.

No allocation will be made until the applicant has provided all verification documentation requested by the Council or one of its RP partners. If this has not been provided when required it may result in the applicant losing an offer of accommodation.

### **6.3 Medical information**

Applicants who indicate on the application form that they, or a member of their household, have an illness or disability that is affected by their current home, or who may be vulnerable on physical or mental health grounds, must be able to provide evidence to substantiate this claim from a health professional on request by the Council.

The Homemove Officer will primarily assess an applicant's medical priority based on the signed declaration made on the application form, together with any supporting evidence supplied at the time of application, in accordance with the Medical Needs Flowchart shown in **Appendix D**. In some cases the Council may require specialist advice to determine the applicant's housing need. Specialist advice may include referral to a medical adviser, social services, or other individuals or agencies as appropriate.

The Council may seek its own specialist advice when considering medical information and may also seek the advice of the Occupational Therapy Service when the applicant, or a member of their household, has mobility needs.

If the Council considers that medical information is required from a medical adviser a request will be made for the applicant to obtain a formal medical letter directly from the medical specialist concerned. The Council cannot directly contact an applicant's doctor, consultant or specialist, nor is it able to pay for such an assessment to be made.

If the Council receives information from a medical professional or occupational therapist which recommends that an applicant requires a particular property type (e.g. a bungalow

with level access) or a property with particular features or adaptations (e.g a stairlift and level access shower), it will only approve a move where the offered property meets, or can be reasonably adapted to meet, those requirements.

#### **6.4 Home visits**

In order to accurately assess an applicant's current housing circumstances it may be necessary to visit an applicant at home.

If a home visit is deemed necessary the applicant must grant the visiting officer access to their property at a reasonable time of the day on reasonable prior notice. Any failure on the part of the applicant to facilitate a visit may result in the applicant's priority on the Housing Register being reduced or their Homemove application being removed.

#### **6.5 Personal information**

Applicants have the right to see the information held about them and to receive a copy of the information held on file or on computer. This is subject to an access request for which the Council charges a reasonable administration fee.

All personal information will be handled in accordance with the Data Protection Act and will be subject to the appropriate level of confidentiality. By submitting an application form to join the housing register an applicant consents to the processing of sensitive personal data about themselves. Any non-dependent adults in the applicant's household will also need to provide consent. The Council may disclose information contained in the application and about associated bidding activity and rehousing prospects to service providers and with other relevant Council services as the law permits.

All information submitted in respect of an application will be verified and may include credit checks, electoral register and Council Tax records checks, and other agencies.

#### **6.6 False statements or withheld information**

Under section 171 of the Housing Act 1996 it is an offence for an applicant to knowingly or recklessly make false statements or to knowingly withhold reasonably requested information relevant to their application. This includes, but is not limited to, information requested on the housing register application form. An offence is also committed if a third party provides false information whether or not on the instigation of the applicant.

Where there is suspicion, or an allegation, that a person has withheld or provided false information, the application status will be changed to 'pending' (if it is a new application) or 'suspended' (if it is an existing application) during the investigation and will be excluded from the Allocation Scheme until an outcome is reached.

If the investigation shows that false information was provided or information was deliberately withheld, the applicant will be withdrawn from the housing register and the Council will consider legal proceedings. The applicant will not be eligible to apply to join the housing register for the following two years.

Anyone made ineligible for the scheme as a result of providing false information or withholding information will be provided with a full written explanation for the decision and will have a right of review of the decision.

Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the Housing Act 1996) enables a landlord to seek possession of a property where it has been allocated as a result of a false statement by the tenant or a person acting on his or her behalf.

## **6.7 Applications from mobile and holiday home occupants**

A significant number of residents live in mobile and holiday homes of varying types ranging from permanent year-round accommodation to specific holiday parks. In considering the adequacy of such accommodation the Homemove Officer will pay particular attention to whether or not the mobile or holiday home is considered fit for the applicant having regard to the purpose for which it was designed. The applicant's circumstances will then be compared against that fit for purpose standard.

For example, bedrooms in mobile and holiday homes are often much smaller than in permanent accommodation. When considering whether an applicant is overcrowded or suffering from a bedroom deficiency the assessment will be based on the number of occupants that the mobile or holiday home was designed to accommodate. The applicant will have been deemed to have chosen to live in housing that was fit for its purpose. Applicants will only be considered to meet the overcrowding criteria of Band B or C if the number of occupants exceeds the number that the home was designed to accommodate. If, however, an applicant has developed serious medical problems that make their accommodation unsuitable their circumstances will be fully investigated and their application will be given the appropriate priority.

## **6.8 Bedroom need and overcrowding**

For the purposes of determining an applicant's bedroom need or level of overcrowding a separate bedroom will be allocated to each:

- married or cohabiting couple
- other person aged 16 or over
- two children aged under 16 of the same sex
- two children aged under 10 regardless of sex
- any other child under 16 (other than a child whose main home is elsewhere).

**Note:** any resident residing in the applicant's dwelling without the consent of the landlord will not normally be considered as part of the household when determining bedroom need or overcrowding.

## **6.9 Children**

Children under the age of 18 will be deemed to be part of a household when:

- they are living with an applicant or co-applicant as a dependent;
- the applicant or co-applicant is in receipt of child benefit for them; and
- the child does not have its main home elsewhere.

Individuals over the age of 18 may be considered to be dependents if they are deemed to be unable to live independently of an applicant or co-applicant, such as for reasons of mental or physical impairment.

## **6.10 Joint custody of children**

Where an Applicant has joint custody/residence of a child, that child will not normally be counted as part of the Applicant's household where the child already has the use of a bedroom with another parent/guardian.

## **6.11 Additional bedroom because of a medical need**

The Homemove Team may, in its discretion, consider that an Applicant needs an additional bedroom over and above the calculation set out at **6.8** above where clear evidence has been produced that demonstrates a medical need for a household member to sleep in a room alone, or where an additional room for medical equipment or a regular overnight carer is required.

For these purposes, applicants should be aware that:

- an additional bedroom will not generally be permitted in circumstances where married or cohabiting couples are affected by sleep disturbance due to the medical condition of one of the parties.
- an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance, and may not be fully covered by housing benefit as it could be subject to the removal of the spare room subsidy;
- RPs may apply their own criteria when determining whether a property with an additional bedroom can be allocated to the household.

## **6.12 Additional bedroom for approved Foster Carers or Adopters**

The Homemove team may consider that an Applicant needs an additional bedroom over and above the calculation set out at **6.8** above where the applicant has been approved by West Sussex County Council to enter into an adoption, fostering, or special guardianship arrangement.

However, applicants should be aware that an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance, and may not be fully covered by housing benefit as it could be subject to the removal of the spare room subsidy, even after a child has been placed with them.

## **6.13 Adding children to an application**

An expected first child (for which satisfactory confirmation of pregnancy showing the expected date of delivery has been produced to the Homemove Team) will be eligible to be included on the application when the mother is 6 months into her pregnancy. At this stage the housing need will be reassessed. When the child is born this must be confirmed to the Homemove Team by producing a copy of the birth certificate.

For second and subsequent pregnancies the expected child or children will not be included on the application until they are born and a copy of the birth certificate has been produced to the Homemove Team.

## **6.14 Adding adults to an application**

Additional adults (including any adult children of the applicant) will not be accepted on an application where it results in the need for larger accommodation than the applicant would otherwise be eligible for. The only exception is if there is an evidenced overriding need such as ill health or a disability. Wishing to be a part of the household is not sufficient reason to be included on the application.

Adults requiring an extra bedroom will only be included in the household if they have a demonstrable need to live with the applicant and they plan to make it their sole home on a permanent basis.

Applicants who require an additional bedroom to enable them to receive full time care may include this on their application provided they can provide medical evidence to demonstrate the need.

## **6.15 Assessment of need**

The law says that we must give reasonable preference to certain categories of people in need of housing. The Allocation Scheme takes account of these categories and does so by placing applicants in an appropriate priority band, although the priority given to each category is not necessarily equal.

The categories of people the law says we must give reasonable preference to are:

- People who are homeless within the meaning of Part 7 of the Housing Act 1996.
- People who are owed a duty by any housing authority under the following sections of the Housing Act 1996:-
  - s.190(2) (intentionally homeless and in priority need);
  - s.192(3) (non-priority need homeless who are occupying accommodation arranged by the Council);
  - s.193(2) (unintentionally homeless and in priority need);
  - s.195(2) (threatened with homelessness intentionally and in priority need);
- People occupying insanitary or overcrowded houses or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds relating to a disability
- People who need to move to a particular locality in the District, where failure to meet that duty would cause hardship to themselves or others.

Once assessed, the applicant is placed in the appropriate bedroom category (as detailed in paragraph 6.8) and into one of the four priority bandings in date order of registration. Homemove will write to the applicant to inform them of their registration date and registration number and give the following information:

- Priority band and reason for it.
- Priority date.
- The maximum bedroom size they can bid for.
- Mobility group (physical disability level) if applicable.
- Advise the applicant that they have a right to see the information held in relation to the application.

If an applicant considers that any of these details are inaccurate then they can request a review of their priority from the Homemove Officer at any time.

### 6.16 Additional preference

The following applicants will be awarded additional preference if they have an urgent housing need<sup>2</sup>:

- The applicant is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service
- The applicant formerly served in the regular forces
- The applicant has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service
- The applicant is or has served in reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

Additional preference will be given by awarding an earlier priority date than the applicant would otherwise be entitled to. The additional preference will be awarded to reflect the time the applicant spent in the regular or reserve forces in accordance with the following table.

<b>Length of Service</b>	<b>Length of time that priority date will be predated</b>
Less than one year	One week
One to two years	Two weeks
Three to five years	One month
Six to ten years	Six months
Over ten years	One year

In exceptional cases the Housing Standards & Homemove Manager can award further additional preference to reflect the individual circumstances of the case.

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<sup>2</sup> Urgent housing need indicates that the applicant will be entitled to priority band A or B.

## 7.0 The Banding Structure

The four priority Bands are:

### Band A

- Homeless households owed the main re-housing duty by Chichester District Council placed in Bed & Breakfast or short term temporary accommodation where the only prospect of meeting the households' needs is in permanent accommodation in the social housing sector (e.g. the applicant has severe medical, disability or vulnerability needs).
- High medical priority, which is awarded by either the District Council's Multi-Agency Panel or Housing Standards & Homemove Manager, where the current housing conditions are having a major adverse effect on the medical condition of the applicant (or a member of the applicant's household) so as to warrant 'emergency' priority.
- Tenants living in RP accommodation under a periodic assured or fixed term tenancy (other than an assured shorthold tenancy for a term of less than 2 years) within Chichester District who are under-occupying by two bedrooms or more. For example a couple living in a three bedroom property who wish to downsize to a one bedroom home.
- Transfer applicants within the Chichester District who are in need of a permanent move because their property is imminently required for essential works (and the tenant cannot remain in the property whilst these works are carried out) or for redevelopment by one of the Council's development partners.
- Releasing significantly adapted RP accommodation in order to make best use of adapted stock, and where the current tenant does not require these adaptations.
- Priority transfer from RP accommodation. Will only be agreed in exceptional circumstances where it can be evidenced that there are significant and insurmountable problems associated with the tenants occupation and there is an imminent personal risk to the applicant (or a member of the applicant's household) if they remain.
- Exceptional & urgent need – exceptional circumstances and/or multiple needs, which warrant emergency priority – can be approved only by the Housing Standards & Homemove Manager or the Divisional Manager for Housing.
- Where there is a re-housing obligation because a demolition or prohibition order has been made in respect of the applicant's current accommodation within the Chichester District.
- Applicants approved by the Housing Standards & Homemove Manager requiring a move through the National Witness Mobility Service.
- Been accepted by the Housing Standards & Homemove Manager to be supported through the Independent Living Scheme.
- Where there are two or more unrelated category 1 housing health and safety hazards and the landlord is unable or unwilling to remedy the defects to the property within a

reasonable period of time as specified by an Environmental Health Officer or Environmental Health and Housing Technician.

- To release properties located on a site owned by a partner RP scheduled for redevelopment, which would otherwise prevent redevelopment taking place. To be approved by the Housing Standards & Homemove Manager or the Divisional Manager for Housing.

## **Band B**

- Households lacking 2 or more separate bedrooms (see paragraph 6.8) or if the property is statutorily overcrowded.
- Medium medical priority for re-housing where the current housing conditions are having an adverse impact on the medical condition of the applicant (or a member of the applicant's household) so as to warrant 'urgent' priority.
- Applicants living in accommodation which has been designated as a category 1 housing health and safety hazard and the landlord is unable or unwilling to remedy the defects on the property within a reasonable period of time as specified by an Environmental Health Officer or Environmental Health and Housing Technician.
- Where there are two or more unrelated category 2 housing health and safety hazards that are considered to have similar impact upon the occupant's health and safety as a category 1 housing health and safety hazard and the landlord is unable or unwilling to remedy the defects to the property within a reasonable period of time as specified by an Environmental Health Officer or Environmental Health and Housing Technician.
- Applicants who have been registered with an appropriate agency or charity for a period of at least 3 months as regularly rough sleeping within Chichester District, but who are not otherwise assessed as being in priority need for housing within the definition of the homelessness legislation.
- Applicants urgently needing to move-on from supported housing located within the District; or applicants displaced from the District urgently needing to move-on from supported housing located outside of the District. In both cases this must be as part of a move-on care plan previously agreed between the Council and the supported housing provider.
- Severe need – exceptional circumstances and/or multiple needs, which warrant high priority – can only be approved by the Housing Standards & Homemove Manager or the Divisional Manager for Housing.
- Tenants living in RP accommodation under a periodic assured or fixed term tenancy (other than an assured shorthold tenancy for a term of less than 2 years) within Chichester District who are under-occupying by one bedroom. For example a household occupying a three-bedroom property with a two bedroom need can be considered for a two bedroom property, or a household occupying a two-bedroom property with a one bedroom need can be considered for a one bed property.



## Band C

- Households lacking one separate bedroom (see paragraph 6.8).
- Low medical priority for re-housing where the current housing conditions are having a negative impact on the medical condition of the applicant (or a member of the applicant's household) so as to warrant priority.
- Applicants living in unsatisfactory housing conditions (e.g. the property has at least one significant category 2 housing health and safety hazard) as assessed by the Council's Environmental Housing Team and the landlord is unable to remedy the defects to the property within a reasonable period of time.
- Applicants with a need to move for welfare or social reasons where failure to meet that need would result in hardship either to themselves or others.
- Applicants who are threatened with homelessness and have been given valid notice to leave their present accommodation.
- Applicants who are homeless within the meaning of Part 7 of the Housing Act 1996.
- Households owed a duty under section 190(2), 193(2) or 195(2), or those occupying accommodation secured under section 192(3). Applicants placed by Chichester District Council in its own temporary accommodation may be awarded a higher band at the discretion of the Housing Standards & Homemove Manager or the Divisional Manager for Housing in order to secure the effective management of that accommodation.

## Band D

- New home seekers without prioritised housing need factors as set out in Bands A-C.

**Note:** Generally the banding structure is not cumulative, so for example an applicant who may satisfy two or more Band C criteria such as lacking one bedroom and having a low medical priority for housing will be awarded Band C. There may be exceptions to this where there are exceptional combined needs as set out below.

Where there are serious social/welfare housing needs connected with an applicant, or any of their household, the Housing Options Team and/or the Homemove Team will consider the recommendations of West Sussex County Council's Social and Caring Services and any other statutory and voluntary agencies, particularly taking into account evidence of the applicant's multiple needs.

Applicants and their household may be able to demonstrate evidence of having a variety of combined needs. For example they may have:

- **More than one** family applicant with individual medical/social or welfare housing needs.
- A severe medical health problem **AND** be living in very overcrowded conditions.
- Have a two-bedroom shortage **AND** living in a property with an unrelated category one housing health and safety hazard.

Where an applicant is living in such exceptional circumstances and/or has multiple needs which are determined by the Housing Standards & Homemove Manager to warrant emergency priority they will be placed in **Band A**.

## **7.1 Reassessing Need and Reviewing Applications**

If an applicant's circumstances change they may be moved up or down a band at any time depending on their newly assessed need for housing.

Applicants must inform the Homemove Team at Chichester District Council immediately if their circumstances change and may be required to complete a change of circumstances form or, in certain circumstances, a new housing application form and provide all the necessary evidence to support the change.

### **Moving up a Band**

If an applicant moves up a Band after they are re-assessed due to a change in their circumstances, they will be given a new priority date which will be the date that the Homemove Team was notified in writing of the applicant's change in circumstances. For homeless applicants, this will be the date a full duty under the homelessness legislation was accepted by Chichester District Council.

Any applicant moving up a Band will not overtake existing applicants in the higher Band.

### **Moving Down a Band**

If an applicant moves down a Band, then the priority date they had in the higher Band will be retained or their priority date will revert to an earlier date that they had if they had been in a lower Band previously.

### **Reviewing Applications**

The District Council is able to monitor the bidding patterns of Homemove applicants and in particular identify those who are not bidding. Periodically the District Council will identify and contact applicants who have failed to bid for more than 6 months. Such applicants will be removed from the register unless they contact the Council to confirm their wish to remain on the register. If the District Council is unable to make contact then their application will be removed. The Council will notify the applicant in writing of the date and the reason for the removal.

The Council will also review those applicants within Band A every three months to ensure that their application remains up-to-date and that appropriate bids are being made. Where appropriate an applicant's banding priority will be reviewed and/or additional information sought to substantiate the priority awarded.

An application will normally be removed from the Housing Register in the following circumstance:

- The applicant accepts the tenancy of a property provided by a social housing landlord
- The applicant accepts the offer of home purchase by shared ownership
- The applicant no longer qualifies for the Housing Register
- The applicant moves under a mutual exchange scheme
- The applicant is no longer eligible to be on the Housing Register
- The applicant requests the Council to cancel their application

The applicant will be informed that their application has been removed and be provided with an explanation as to why it has been removed. The applicant has the right to appeal against the decision.

## **7.2 Applicants who have worsened their housing circumstances**

Where homeless applicants have been found intentionally homeless, or an applicant with an identified housing need has been assessed to have worsened their own housing circumstances, they will be placed into Band C and their reasonable preference reduced so that they are placed below all applicants in the said band who have not been found to be intentionally homeless or to have worsened their own housing circumstances. Applicants will remain in Band C with reduced preference for up to two years.

## **8.0 Multi-Agency Panel**

The purpose of the Multi-Agency Panel is to bring together relevant agencies in the Chichester District to assess the best way to meet the needs of Homemove applicants, where the formal assessment process is not seen to be sufficient or where it is anticipated that urgent housing is required and this may not otherwise be achieved.

The operation of the Multi-Agency Panel is governed by its own terms of reference, which are periodically reviewed by the Panel. Applicants are referred through Chichester District Council's Housing Options, Homemove and Environmental Housing Teams, or external referring agencies that complete and forward a standard referral form. Participating agencies wishing to refer applicants need to:

- Check the applicant meets the Chichester District Multi-Agency Panel referral criteria.
- Explain the panel process to the applicant including the referral procedure, the length of time the process will take, the agencies involved, the applicant's involvement throughout the process.
- Undertake the comprehensive needs assessment with the applicant and send this to the panel co-coordinator on its completion. All participating agencies will only refer applicants who meet the criteria.

All participating agencies involved in discussing an applicant's case at a panel meeting are responsible for assisting the panel to determine a resettlement and support plan for the applicant. Chichester District Council will also make decisions about the correct banding for the applicant discussed at panel and can also make decisions about referrals to specialist housing providers who may be allocated outside of the Choice Based Lettings process. In particular the Panel are able to approve the assessment of applicants as having a high medical priority that would place them immediately in Band A. Decisions made about applicants at the panel meeting will be recorded in the minutes of the meeting and will also be recorded on the applicants file kept at the co-coordinating agency.

## **9.0 Rural Allocations Policy and Housing in the Rural Area**

The Chichester District is predominantly rural, with more than 80% of residents living in a rural area. The proximity to London and location by the sea, make the district a desirable place to live. There is often a lot of competition for homes available for rent or sale on the open market, which puts a premium on their price. The district also suffers from low average wages as many households rely on seasonal or low paid rural employment in local industry.

The Council recognises that rural areas suffer from high housing need. We are working with a number of rural communities to bring forward new affordable housing developments to help meet local housing needs. These are called 'exception sites'

We have also implemented a rural allocation policy to assist in the development of sustainable rural communities (see **9.2** below).

### **9.1 Exception sites**

Exception sites are small, attractive, high quality affordable housing developments designed to help local households secure accommodation. They are built on land outside of a village's Settlement Policy Area, and are exceptional to normal planning policy. The Council has a good record of working in partnership with our parish councils to bring sites forward, and is keen to use exception sites as a way of addressing local housing needs. Only affordable housing can be built on exception sites. All homes must remain affordable in perpetuity. Tenants of such properties will not have a Right to Buy or Acquire.

If a Homemove applicant wishes to be considered for a home on an exception site, they **must** make sure that the Council has proof of their local connection to the parish. Properties will be clearly advertised for households with a local connection on the Homemove website. Only households that are able to prove an adequate local connection prior to the end of bidding will be eligible. On any subsequent re-let of an exception site home, applicants will be required to demonstrate a local connection, in the same way as at first allocation.

If there are no bids from eligible households with a local connection to the parish, bids from households with a local connection to the surrounding parishes (as listed in the Section 106 Agreement) may be considered.

### **9.2 Rural Allocation Policy**

When an existing affordable home within the rural area becomes available for re-let, preference will be given to households that:

1. are able to demonstrate (to the reasonable satisfaction of the Council) a local connection to the parish in which the property is located, and;
2. have an identified housing need (i.e. those households that are in Bands A-C).

All other eligibility requirements for the property (e.g. bedroom need) must be met.

If no eligible household bids, the property will be allocated to the household that has the greatest assessed housing need, regardless of local connection to the parish.

This policy applies to all areas within Chichester District, **EXCEPT** Chichester City, East Wittering, Midhurst, Selsey and Southbourne, and the rural area of Petworth.

In order to make the best use of available housing, homes within the rural area adapted for disabled people (including, for the avoidance of doubt, homes that may not have specific adaptations but are nonetheless particularly suitable for applicants with mobility needs) will first be offered to a household with a mobility need and local connection to the parish. If no applicant meets both these criteria, the property will be offered to a household whose mobility need matches the adaptations of the property, regardless of local connection. Should no household be identified, the property will be allocated to a household without a need for adapted accommodation, but with a local connection to the parish, as above.

Please see Appendices B and C for further information on local connection requirements.

## **10.0 How are vacant properties advertised?**

When a new application has been validated and registered the applicant will be sent a Scheme Users Guide that explains how the Homemove scheme operates, including how to make bids and what the symbols used in adverts mean. The Council will provide a full copy of the Allocation Scheme on its website and will provide a full paper copy at a reasonable cost upon request.

Vacancies are advertised on the Homemove website, [www.homemove.org.uk](http://www.homemove.org.uk), on a fortnightly bidding cycle. Vulnerable applicants who do not have access to a computer or the internet can apply for a personalised property list to be sent to them in the post each fortnight. This will list all currently advertised properties the applicant is entitled to bid for.

Within each advert the eligibility criteria will be set for the property, such as:

- Minimum and maximum number of persons in the household;
- If there are age limits, or whether households who meet certain criteria are being sought for particular properties;
- The mobility group preferred, if applicable;
- If applications are restricted to special groups of people (e.g. the elderly);
- If pets are allowed;
- Whether the accommodation is classed as sheltered housing;
- Whether there are any restrictions limiting bidders to those with a local connection to a specific area or parish;
- Whether there are any restrictions limiting bidders to those from one particular band; or,
- Any other preferences relating to suitable bidders that have been agreed with the RP in order to encourage and develop more balanced and sustainable communities.

The advert will also specify:

- Who owns and/or manages the property;
- Whether the home is to be let at a Social Rent or an Affordable Rent; and
- The amount of the weekly rent, including any other charges.

## **11.0 The Bidding Process**

Full details of how to bid are set out in the Scheme User Guide, which is available on the [www.homemove.org.uk](http://www.homemove.org.uk) website.

Bids must be received by 2pm on the Wednesday following the Friday online publication of the 'Sussex Homemove Magazine'. Shortlists will be created after this and successful applicants contacted by the relevant housing provider as soon as possible.

Applicants can make bids for homes that are advertised by either bidding online via the [www.homemove.org.uk](http://www.homemove.org.uk) website, by telephone bidding, or by text bidding. Applicants can also nominate a proxy bidder and in exceptional circumstances request that the Homemove Team bid on their behalf.

All bids for a property are checked against the eligibility rules. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties they are not eligible for will be contacted and advice and support offered.

Applicants can bid for up to three properties they are eligible for each fortnight and, if done online at [www.homemove.org.uk](http://www.homemove.org.uk) applicants can switch their bids to other properties if they change their mind before the bidding deadline.

Once an offer of a tenancy has been made the applicant will not be eligible to receive any other offers whilst they consider accepting a tenancy for the property. A property viewing will be arranged by the RP at which the successful bidder will have an opportunity to view the interior of the property under offer and discuss any other details of the tenancy directly with the landlord.

### **11.1 Assisting Vulnerable Applicants**

Although the bidding process is straightforward, the Partnership is aware that some vulnerable applicants may need assistance in order to complete the registration and bidding process. The Partnership seeks to address this issue in the following ways:

- The District Council provide regular training and awareness events for agencies that support vulnerable people to help them guide their clients through the process of registration and bidding. This process is coordinated through the Council's Multi-Agency Panel and RP forum.
- The District Council's Customer Services team is available to give advice to support staff and agencies during normal office hours. Information is also available on the Council's website and in a written format for easy reference. Information is available in a variety of formats and languages on request.
- The District Council's front-line staff in both the Customer Services and Housing Operations Teams are able to personally assist applicants with the registration and bidding process either over the telephone or in person at the District Council offices. Where necessary bids can be made by Council staff on behalf of applicant.
- Proxy bidding by support staff, friends or family of a vulnerable person is also possible on request to the Council's Homemove Officer and RP staff. In these circumstances the applicant will need to share their own access passwords with the person providing support, and this can be used to place bids on the applicant's behalf. The District Council will record details of all proxy bidders on the applicant's application file.
- The Homemove Team cross reference vacancies advertised through Homemove with the Multi-Agency Panel case list and liaise with applicants to ensure that they do not miss housing opportunities.

### **11.2 Restricted bidding**

The Council wishes to provide applicants with the widest range of housing options through the Homemove system but there are occasions when it will restrict the applicants bidding to certain areas of the District. Perpetrators and victims of domestic or other violence and/or harassment may have their choice of area restricted in an effort to ensure the health and safety of the applicant, their family, if any, and their potential neighbours.

### **11.3 Time Limits for Bidding for Properties**

There is a maximum twelve-week time limit for bidding (starting from the date when the applicant acquires Band A status) for all Band A applicants.

All Band A applicants will be reviewed quarterly by the Homemove Team.

There is a maximum 8 week time limit for bidding (starting from the date the applicant is placed in temporary accommodation) for the following categories of applicants:

- Homeless households owed the main re-housing duty by Chichester District Council placed in temporary accommodation;
- Households owed a duty under section 190(2), 193(2) or 195(2), or those occupying accommodation secured under section 192(3);

If the applicant has not bid for suitable properties, or has only bid sporadically and/or restrictively during the initial 8 week period, the applicant will lose their right to bid for the home of their choice and any subsequent bids they make may be removed or disqualified.

The Council's Housing Operations Team will then place bids on behalf of the applicant for every suitable property that becomes available until a bid is successful and a reasonable offer is made to the applicant. Any subsequent refusal of a tenancy will result in a loss of priority for further bidding. Applicants in this situation are entitled to a review of the suitability of any direct offer by the Housing Options Manager. If in the initial period no properties of the required size have been advertised the time limit will be extended until a suitable property is advertised.

An offer resulting from a successful bid made by or on behalf of a homeless applicant in temporary accommodation will be considered to be a Final Offer for the purposes of the homelessness legislation.

If a homeless applicant in temporary accommodation refuses to accept a Final Offer of accommodation the Council will consider whether its homelessness duty to the applicant has been fully discharged. This means that the applicant may not be entitled to the provision of temporary accommodation after being given at least four weeks' notice. Applicants in these circumstances will have to obtain their own interim accommodation whilst remaining on the Homemove register.

### **11.4 MAPPA Cases and Direct Bids**

Applicants who pose a potential risk to the public as assessed by the Multi-Agency Public Protection Assessment Panel (MAPPA) will be restricted from bidding and will not be allowed to choose their home. In these cases the Council's Housing Operations Team may make direct bids for suitable homes on their behalf until a reasonable offer is made and accepted by the applicant.

### **11.5 Age restricted housing**

Applicants for sheltered housing and all applicants of their household must be at least sixty years old unless they are registered disabled or have other serious support needs (subject to the approval of the relevant RP). Some RP's will have different or additional eligibility criteria for their sheltered accommodation and this information can be sought directly from the landlord.

Some other RP properties will also be advertised as being designated solely for either older persons (e.g. Extra Care schemes) or younger persons (e.g. a Foyer). Where such restrictions/requirements are present applicants making bids for such properties will only be considered if all applicants of their household meet these age restrictions.

## **12.0 The Selection Process**

Homemove places all eligible bids for each property in priority order and this shortlist is provided to the relevant RP who advertised the property at the close of bidding. Subject to any specific local connection requirements, priority is decided by the RP first by band (A to D with Band A having the highest priority and Band D the lowest) and then by priority date within the band (the applicant with the earliest date on which they joined their current band being given preference) and finally by random selection. Every bid will be assigned a random number when the bid is made. This number is used to resolve a tie; the highest number getting priority.

If there are no eligible bidders for a property the RP, in consultation with the District Council, may decide to make a direct allocation from the housing waiting list or to re-advertise the property the following fortnight.

Applicants will hear directly from the prospective landlord if they have been successfully selected for a property. However, to minimise delays, RPs may arrange multiple viewings for a property. Applicants will be required to bring proof of their identity to the viewing and if appropriate proof of their local connection. Failure to do so could result in an offer being withdrawn.

Successful bidders have a strictly applied forty-eight hour opportunity to either accept or refuse any property that is offered to them. If they refuse then Homemove will re-shortlist the existing successful bidders allowing the RP to make an offer to the next highest priority applicant at the time of re-short listing.

In exceptional cases the RP may refuse to accept the nomination of an applicant who appears on the shortlist if to do so would conflict with its own Lettings Policy. In such cases, the RP will have to give reasons for its refusal to the Homemove Team who will consider the refusal in consultation with the Housing Standards & Homemove Manager at Chichester District Council.

RP's may initially offer a successful bidder a twelve-month starter tenancy for their new home. Further information on starter tenancies can be obtained from the relevant RP.

Offers will normally only be made to the applicant at the top of the shortlist. However, in exceptional circumstances a prospective RP landlord may need to reject an applicant on the top of the shortlist for a particular property to ensure that the objectives set out below are met.



## **12.1 Exceptions – Balancing and creating sustainable communities**

In areas of the District where there are particular concentrations of deprivation or vulnerable households with support needs, the Partnership will consider giving preference specified within the advertising of particular vacant or soon to be vacant properties to specific groups, including those assessed as having only a limited or low housing need. Through this process the RP will hope to balance the particular pressures in these areas as these households would otherwise have less opportunity to access affordable housing. Through this process the Partnership seeks to help build balanced, sustainable communities and to ensure a mix of working and non-working residents.

### **Local Lettings Policies**

In some communities there may be pressures related to low social housing stock levels and/or turnover of existing stock. In such circumstances a Local Lettings Policy may be applied to new or existing developments whereby those people with a local connection to the relevant parish will be prioritised. This is in addition to those exception sites whereby planning conditions prioritise allocations to local people only. In all sites where a local connection criterion is applied, applicants must be able to prove (to the reasonable satisfaction of the Council) their local connection to the parish. It is the applicant's responsibility to ensure that we have all the necessary information/ documentation required to allocate properties on this basis (see **Appendices C & D**).

In order to achieve such objectives an agreed Local Lettings Plan may be established with the partner Registered Providers prior to allocation. Further information on the agreed process for adopting a local lettings plan prior to advertising is shown at Appendix C.

## **12.2 Older applicants and applicants with mobility needs**

Certain properties will be advertised giving preference to applicants above a certain age and/or with mobility needs. Typical properties will be bungalows and some ground floor flats. In these cases all applicants not meeting the criteria will be removed from the shortlist. The eligible applicants will then be prioritised firstly by band and then by priority date. If there is a tie it will be determined by random selection using the number assigned when the bid is made.

## **12.3 Rural allocation policy and exception sites**

The bidding and selection process for properties on exception sites and the designated rural parishes is as set out in Sections 9.1 and 9.2.

## **13.0 Direct Lettings**

In limited circumstances the Partnership will allocate properties outside of the Choice Based Lettings scheme as set out below:

- Special circumstances, e.g. if the police or other statutory agency recommends that a tenant or new homeseeker with high priority should be excluded from bidding. The Council will make one reasonable offer and if refused the applicant will lose priority.
- Bespoke mobility adapted properties that have been developed to meet the specific and serious needs of an applicant as agreed by the Council's Housing Standards & Homemove Manager and proposed by the Council's Multi-Agency Panel.

- Applicants for specialist supported housing schemes including some Extra Care schemes that require a process of nomination, assessment and acceptance in order to be considered for an allocation.
- Where an imposed time limit on applicants for bidding at a specific band has expired and the applicant has frustrated the Housing Operations Team's attempts to bid on their behalf.
- Some properties which have already been advertised and for which no eligible bids were made may be re-advertised on a 'first come, first served' basis. This means that the first successful and eligible bid received after the opening of the bidding period will be offered the tenancy.
- RP stock identified for future redevelopment or demolition can be allocated outside of the Allocations Scheme as a direct let and offered on an Assured Shorthold Tenancy for a period of up to twelve months.
- A direct let may be offered to existing Registered Provider tenants where they have been decanted from their homes to enable their landlord to demolish and redevelop the site. Tenants who have not accepted a transfer to another property will be offered a direct let to a suitable property in the new development.

### **13.1 Refusals Following Direct Lettings**

In all the above cases the Council's Housing Standards & Homemove Manager will make one reasonable offer that as far as possible matches the size and type of property the applicant is eligible for and in an area known to be suitable for them. The applicant must give their reasons for refusing and has the right to request a review of the suitability of an offer. The property will be held empty while the refusal is reviewed.

If the refused offer is to a homeless household then the Housing Options Manager will review the case and will take the necessary follow-up action, which may include the discharging of the Council's duty to offer permanent re-housing.

### **14.0 Priority Transfers**

The Council will consider a priority transfer request for existing Registered Provider tenants in exceptional circumstances, where it can be demonstrated that no other housing solution is reasonably practicable.

The referral for a priority transfer is made by the relevant Registered Provider, who must complete at 'Priority Transfer Referral Form' available from the Homemove Team on request.

The completed form, together with all supporting evidence, must be submitted to the Council's Housing Standards & Homemove Manager for their consideration. Where an appropriate referral is made, the Housing Standards & Homemove Manager will contact all the relevant agencies involved in the case and the tenant to arrange a meeting. The meeting provides an opportunity to discuss the facts of the case in more depth, and to establish the actions that have been taken by the various agencies in an effort to resolve the issue(s).

A final decision on whether a priority transfer is the most appropriate solution in the circumstances will be made by the Housing Standards & Homemove Manager within 10 working days of the meeting. Where a Priority Transfer is agreed, the tenant will be placed into Band A from the date of the meeting.

A fundamental principle of the priority transfer process is that an applicant cannot (as a result of being granted a priority transfer) improve their general housing circumstances. In view of this, all applicants granted a priority transfer will **only be eligible for a like-for-like transfer**. This means that if, for example, the applicant is currently in a two bedroom flat, they will only be eligible to transfer to another two-bedroom flat or maisonette. They would not be permitted to bid on 2 bedroom houses (or 3 bedroom accommodation even if they have an assessed 3 bedroom need). It follows that if a priority transfer applicant is, in addition to the issues that have led to the application, also living in overcrowded accommodation, the priority transfer process may not be the best housing solution for them as it will not allow them to bid on accommodation larger than they currently occupy. Referring RPs are requested to consider this before submitting applications.

The purpose of granting a priority transfer is to accelerate a move for the household, usually because there is an imminent personal risk to them if they remain. In view of this, those applicants granted a priority transfer will have their application reviewed every 12 weeks. The review will consider whether the applicant has made every effort to bid on suitable properties advertised through Homemove in order to secure a move. Where applicants are selective in their bids the Homemove Team will re-consider whether the applicant has an urgent need to move and whether, as a consequence, their Band A status should remain.

A letter confirming the Housing Standards & Homemove Manager's decision will be sent to the tenant. The tenant will have the right to request a review of this decision if they disagree with it.

If the Housing Standards & Homemove Manager considers that the Council has a legal duty to provide temporary accommodation to the tenant the Officer will arrange and offer temporary accommodation accordingly.

## **15.0 Feedback on Let Properties**

All properties let will be listed in future editions of the online Homemove magazine showing the number of bidders for each property and the Band and priority date of the successful applicant.

## **16.0 Notification of Decisions and the Right to Appeal (Request a Review)**

1. An Applicant has the right, on request, to be informed of any decision made by the Homemove team concerning his/her application for housing.
2. An applicant who is unhappy with any decision made on their case should first raise the matter with the Homemove Team who will informally review their decision.
3. An applicant who is still unhappy with a decision has the right to request a formal review and to be notified in writing of the review decision and the grounds for it.

4. A request for a formal review must be made within 21 days of the applicant being notified of the decision (or the outcome of an informal review as described at 2. above). Any request must be in writing and should indicate why the applicant believes the decision is wrong.
5. The review request should be made to the **Housing Standards & Homemove Manager, Chichester District Council, East Pallant House, 1 East Pallant, Chichester PO19 1TY** who will undertake the review and will notify the applicant of the decision within four weeks of the request being made or such longer period as may be agreed in writing.
6. An applicant who is considering requesting a review may find it helpful to consult a Citizens Advice Bureau, Shelter, or perhaps a solicitor on how best to do this.
7. Where the Housing Standards & Homemove Manager was a party to the decision being challenged, the review will be undertaken by the Divisional Manager for Housing.
8. If an Applicant considers that the review decision is wrong, the applicant may wish to get advice from a solicitor or other adviser as to what options are available to them

## **Section 17 Syrian Vulnerable Persons Relocation Scheme**

Where an individual or family is to be relocated to the Chichester District through the Government's Syrian Vulnerable Persons Relocation Scheme they will be directly allocated a home without the need to provide a local connection or to be placed on the Housing Register.

## Appendix A - Checklist for Proof of Identity

Applicants of Homemove who are invited to view a property by a Registered Provider following the end of a bidding cycle will be required to bring proof of their identification, their eligibility for housing and proof of their local connection with them for perusal by the RP at the viewing.

You should be able to produce two of the following documents for each **adult applicant** of your household and a **birth certificate for each child**. They must be original documents.

We need at least two of the following:

- Passport
- Driving licence (full or provisional)
- Birth certificate

If you are not a British/UK citizen, you will also need to be able to produce all your immigration papers, e.g. UK residence permit, Home Office Standard Acknowledgement Letter (UK Residence Permit (UKRP)) and any other correspondence from the Home Office.

If you are an EU National (other than from the UK) we will also need to see your national ID card or passport.

All documents should be up to date.

If you are unable to produce these documents at the viewing it is likely that the Registered Provider will not be willing to carry out a viewing of the property. You are likely to be passed over and a viewing offered to the next successful bidder. If that person is able to produce their proof of identity then it is likely that a tenancy will be offered to them. This means that you will lose the opportunity of a tenancy at the property for which you have successfully bid. You will subsequently be able to bid again during the next fortnightly bidding cycle.

The RP will also need to see proof of your income (payslip, P60, etc) and of any benefits that you receive (entitlement letter, bank statements).

If you cannot produce any of these documents or have any further questions with regarding to proving your identity please contact the Customer Services Centre on (01243) 534734 or email [contact@chichester.gov.uk](mailto:contact@chichester.gov.uk).

In order to prove that you have a local connection to a rural parish, it is the responsibility of the applicant to ensure that the Homemove Officer has all the information required to allocate a property that is located on an Exception Site, or housing that is subject to the rural allocations policy or a Local Lettings Policy.

Therefore, we will require all applicants to demonstrate their local connection by submitting to the District Council copies of one document to evidence the following criteria:

- Proof of residence (for at least the last 12 months) – Council Tax statement, bank statement, utility bill, driving licence, payslip.
- Proof of employment (for at least the last 12 months) – payslip, letter on company headed paper, company accounts, company bank statement.
- Proof of Next of Kin's residence (for at least the last 5 years) – Council Tax statement, bank statement, utility bill, driving licence, payslip. We also require proof of relationship to the applicant.
- Proof of previous residence - Council Tax statement, bank statement, utility bill, payslip.

The Homemove Officer and/or Housing Enabling Officer may accept other forms of verifiable proof of local connection (at their discretion) should it be reasonably demonstrated that none of the above methods of identification are available.

If an applicant is bidding for a property that requires a local connection to a particular parish they must provide documentary evidence to prove the connection before the bidding for that particular property closes. If the proof has not been provided by the close of bidding then the applicant will be excluded from the shortlist.

It is the responsibility of the applicant to ensure that information held by the Council is relevant and up-to-date and therefore it is strongly recommended that interested applicants attend the Local Connection Registration event to be held in the parish prior to advertising of new local connection housing. Households will not be eligible to bid for this type of housing unless the Council is satisfied that you have a valid local connection. You must bring to the event, relevant information to support your claim of a local connection to the parish.

If you are unable to attend the appointed session, you must contact the District Council's Customer Service Centre for advice and send in relevant information to support your local connection claim.

## **Appendix B – Local Lettings Policy**

### **Introduction**

A Local Lettings Policy has an important role to play in widening housing opportunities for local people and ensuring good housing contributes to district wide regeneration and renewal.

The national and regional housing agendas are also encouraging housing schemes to be mixed tenure, catering for a range of households with varying needs and aspirations. Where there are such needs within the Chichester District specific properties may be advertised with a view to encouraging bids from households that would not otherwise have the opportunity to access affordable housing. Eligible bidders who meet these criteria will be considered as a priority for re-housing above bidders who do not. This is to ensure that these new housing developments cater for a variety of residents as opposed to concentrations of households with similar needs.

In areas of the District where there are concentrations of deprivation or vulnerable households with support needs there may be instances where the council will offer housing specifically to working households or those with a lower assessed housing need, or who can demonstrate a specific need that could be addressed by the locality. Through this process lettings can contribute toward balanced, sustainable communities, with a positive impact on education, by influencing school populations, on local businesses and on health and by balancing the demand for services with local provision.

These policies will be carefully considered to ensure that in correcting an imbalance in one area they do not create another.

### **Meeting Affordable Housing Needs in Smaller Settlements**

In addition to exception sites, a Local Lettings Policy can also be used in rural areas where local people already contribute to a balanced community, but who may otherwise be forced to move away due to a lack of affordable housing. The Partnership should support the needs of local people and enable them either to stay in their locality or to return to a locality with which they have a strong connection. These local policies will aim to widen housing choices for local people specifically in rural areas.

Local Lettings Policies may be agreed for the letting of any individual property within the District, or for a larger number of new let properties within a scheme in most cases. The policy usually applies until the property is re-let and does not automatically create a long lasting or binding policy in relation to that property.

Prior to completion, the Housing Enabling Officer will contact the RP to advise that they wish to create a local lettings policy in relation to this specific allocation, or the RP may request the same. The letter or email will indicate the particular preferences or restrictions that are proposed with regard to the property, such as:

- The property/scheme will be most suitable for older persons;
- The property/scheme will be most suitable for families without young children;
- The property/scheme will be most suitable for individuals without support needs; or,
- The property/scheme should be prioritised for local households with a local connection to the parish.

A rationale for the proposed Local Lettings Policy must be evidenced. This might include the following examples:

- The locality has a high number of households in existing social housing who are under-occupying and that allocations to smaller units would enable the release of much needed family size accommodation for local people.
- The immediate locality already has a high concentration of elderly people and it is felt that introducing younger families into the vicinity may create housing management problems in the future.
- The property is not well suited or designed for prospective tenants with young children (the property has steep stairs, is in an area with few services or has poor transport issues).
- The locality already has high concentrations of individuals with high support needs and a greater balance is required.
- It is in a settlement of less than 3,000 people and there is an identified need to meet local needs within that community either due to limited social housing stock levels or low turnover.

For new developments, the Housing Enabling Officer, Housing Standards & Homemove Manager and the RP's Neighbourhood, Development and Lettings Officers will meet approximately 3 months prior to the completion of the scheme to agree the terms of the Local Lettings Policy and will sign a checklist to ensure that all parties are aware of the conditions. If agreed, the property will be advertised in the usual way but the RP will add the following statement to the property details, "Preference will be given to applicants who... [details of the specific requirements]".

The property will then be advertised and a shortlist created of all eligible bidders. The RP will be able to use this list to seek a suitable nominee excluding in the first instance, any bidder who does not meet the specific requirements of the Local Lettings Plan. Once the shortlist has been filtered the RP will then prioritise the remaining eligible applications according to the usual process; first by Band, second by local connection, thirdly by priority date within the band and finally by a random selection if required. If there are no bids received from eligible households that have a local connection to that parish, then the RP will re-advertise the property and clearly state that it is available for any eligible households with a local connection to the Chichester District.



## **Appendix C – Local Connection**

A Local Connection can be defined in two ways. These are:

- Local Connection to Chichester District
- Local Connection to a rural parish within the District.
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### **Proving a Local Connection to Chichester District**

The District Council will only accept that an applicant has a local connection to Chichester District if they are able to prove that one of the following statements applies to at least one adult applicant:

- Currently permanently reside, through choice, within the Chichester District and have done so without a break for the preceding two years.
- Have resided within Chichester District for four out of the last six years.  
An applicant is currently employed within the district and has been continuously for at least the last 12 months. Although the employment need not be paid the applicant must be able to prove that they perform genuine work that is carried out predominantly within the Chichester District boundaries. Their employment must include at least 20 hours per week within the District.
- The applicant needs to live in the District to provide care to, or be provided with care from, a close relative (defined as mother, father, brother, sister or grown up children of the applicant) and that person has lived continuously in the District for a period of five years. The person providing the care will, in most cases, have to demonstrate that they receive, or are entitled to receive, Carer's Allowance.
- Other exceptional circumstances that the local authority might reasonably consider to constitute a local connection as agreed by the Head of Housing and Environment Services and the Cabinet Portfolio Holder.

The Council will not disqualify or disadvantage the following applicants on the grounds that they do not have a local connection with the authority's district. These applicants will be awarded Local Connection to Chichester District and Local Connection to all rural parishes within the District.

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge;
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
- serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service;

Furthermore the Council will not disqualify the following applicants on the grounds that they do not have a local connection with the authority's district:

- homeless applicants owed the full housing duty by Chichester District Council under Part 7 of the Housing Act 1996;
- existing social tenants seeking to transfer from another local authority district in England who:
  - have reasonable preference because of a need to move to Chichester District to avoid hardship, and
  - need to move because the tenant works or has been offered work in Chichester District and has a genuine intention to take up the offer.

**Note:** Occupiers of mobile homes and holiday type accommodation will not be accorded a local connection unless they have lived in the accommodation **and** paid Council Tax for a period of at least two years.

### **Proving a Local Connection to a Rural Parish**

A number of RP properties within the Chichester District are built on Exception Sites. An Exception Site is land outside the Settlement Policy Area that has been developed for affordable housing for local people in perpetuity. This is land that would not normally be available for development. However, Chichester District Council's planning policies reflect the high need for affordable housing in rural areas and RPs are able to develop land that would otherwise be unavailable. This can be for low cost homeownership (Shared Ownership) or social rented housing and must be prioritised for households that are able to demonstrate a valid local connection to the parish. To reflect the shortage of stock in rural areas, exception site housing cannot be lost or sold to the open market through the Right to Buy/Acquire.

This means that the RP who is seeking a new tenant for these properties is restricted in initially considering those applicants who have a proven local connection to the specific parish in which the property is located, or in some circumstances the immediately neighbouring parishes.

Properties affected by a local connection requirement will be clearly advertised as being eligible only for applicants with a local connection to a specific parish or parishes. This information is listed in the development's Section 106 Agreement.

Chichester District Council considers applicants to have a local connection to a parish if they are able to prove that at least one of the following statements applies to at least one adult applicant (listed in order of priority):

1. They currently live in the parish and have done so continually for 10 years or more.
2. They currently live in the parish and have done so continually for 5-10 years.
3. They currently live in the parish and have done so continually for a minimum of 12 months **or** they are currently permanently employed in the parish for a minimum of 12 months and at least 20 hours per week – paid or unpaid.
4. At least one of the adult applicants has a member of family (defined as grandparents, parents, siblings or children of the applicant) who currently live in the parish and have done so continually for 5 years or more.
5. They are an ex-resident of the parish having been forced to move away due to a lack of affordable housing in the parish.
6. They currently live in the parish and have done so continually for at least 6 months (N.B This category only applies to exception sites).

In relation to residency, occupation of the following will not qualify for the purposes of a local connection criterion to a particular parish for either an exception site or a local lettings site:

- temporary accommodation provided under any homelessness duty;
- holiday homes both mobile homes and permanent structures;
- unauthorised occupation of a gypsy or traveller site.

For all exception sites (and sites subject to a Local Lettings Policy – where appropriate) a Local Connection Registration Event will be held for the community in the parish, usually about three months before completion of the development (some exceptions apply). The Council will write to all those who have previously claimed a local connection to the parish on their Homemove application, and invite them to visit us at the Local Connection Registration Event and bring proof of their connection. This will be checked, and if accepted, we will update the applicant's Homemove Application to reflect this information.

We will advertise the event through appropriate channels including (although not limited to) the parish magazine, the Council's website, and on posters around the village. We strongly recommend any household that would like to be considered for a property on one of these sites to attend the session if at all possible. If you are unable to make the appointed time, we suggest you contact the Council's Housing Customer Services Centre to discuss the options available, and your application.

To prove your rural local connection, we will need verifiable evidence that you meet one of the criteria listed 1-6 above. We encourage you to bring a copy of at least one of the following to prove your connection:

**Current Residence** – Current Council Tax Statement, driving licence, recent bank statement or household utility bill.

**Proof of employment** – Recent wage slip or letter from employer.

**Next of Kin** – Birth/marriage certificate of applicant; copy of current Council Tax statement or household utility bill with name and current address of next of kin.

**Ex-residency** – Council Tax Statement, bank statement, utility bill or payslip.

Although the event will be run by the Council, the partner RP is expected to assist in its organisation and funding, and be present at the event. Only those applicants who have evidenced their local connection prior to the end of the bidding cycle will be eligible to be allocated a property. **It is the applicant's responsibility to ensure that the Council has all relevant information to enable them to allocate a property appropriately.**

When shortlisting for Exception sites, applicants will be prioritised by Band (A-D) and then prioritised 1-6 according to the strength of their local connection as set out above. Finally, applicants will be prioritised by their priority date.

*For example:*

Mrs Smith and Mrs Thomas have both bid for a property in a rural village. Mrs Smith is in Band B (having been in that band for 2 years) and has lived in the village for 15 years. Mrs Thomas is in Band B (having been in that Band for 3 years), doesn't live in the village but is employed there. Mrs Smith will be offered the property.

*For example:*

Mr Jones and Mr Roberts have both bid for a property in a rural village. Mr Jones is in Band B and is employed in the village. Mr Roberts is in Band C and has lived in the village for 20 years. Mr Jones will be offered the property.

As detailed in Appendix C there are also likely to be instances where although there is not a planning requirement to restrict allocations to local people, there is an identified need to apply a local connection criterion to a particular scheme/property through a Local Lettings Plan. In such cases, properties will be advertised so that applicants with a proven local connection will be given priority.

Similarly, the Council has agreed to advertise all available re-lets in the affected rural area with the benefit of a local connection criterion, in the first instance. This will give households with a rural local connection a better chance of securing housing in a suitable area and help sustain the village shop, school and church etc. Please see **8.2** on page 17 for further details.

When shortlisting these properties (i.e. not an exception site), local connections 1-5 on the previous page (**not category 6**) will be considered to be of equal status. An applicant who is employed within the parish and has been registered longer will therefore have priority over an applicant within the same band who lives in the parish but has only recently joined the register.

This differentiation reflects the stricter planning requirements associated with the development of properties on exception sites.

Only applicants with a proven local connection will be eligible to bid for properties on exception sites. Evidence must be provided prior to the end of the bidding cycle and applicants are strongly advised to attend the local connection registration event held in the parish. If this is not possible, applicants are advised to contact Chichester District Council Customer Services for further information.

In unusual circumstances it is possible that the RP will not receive any bids from eligible applicants who are able to prove that they have a local connection with the parish. In those circumstances the RP will re-advertise the property and make it available to anyone that has a local connection to the Chichester District.

## Appendix D – Medical Needs Flowchart

